THE HON'BLE MR. JUSTICE V.V.S. RAO

TUESDAY, THE 20TH DAY OF DECEMBER, 2005

W.P.No. 26594 of 2005

Between:-

Bodduluru Ramanaiah

--Petitioner

And

Bogolu Grama Panchayath rep., by its Secretary, Bogolu village and Mandal, Nellore district.

--Respondent

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W.P.NO. 26594 of 2005

ORDER

The petitioner and one K. Shankaraiah approached the respondent-Gram Panchayat for permission to lay a pipeline from their bore-well to their lands through Gram Panchayat road. The Gram Panchayat, by resolution dated 26-02-2005, permitted the petitioner and another to lay the pipeline. Accordingly, the petitioner allegedly incurred a sum of Rs. 2,00,000-00 (Rupees two lakhs only) and laid the pipeline to supply water to his lands in survey No.521 and 524 ad-measuring Ac.06.82 cents. He alleges that on 01-12-2005 the officials of the Gram Panchayat attempted to break open the pipeline and the Secretary, Gram Panchayat also threatened to remove the pipeline. Therefore, he filed the instant writ petition *inter alia* seeking a direction to the respondent not to remove the pipeline laid by the petitioner.

After getting instructions from his client, learned standing counsel for the Gram Panchayat submits that the Gram Panchayat is bound to abide by the resolution passed by it and there is no attempt to break open the pipeline or remove the same, as alleged. Learned standing counsel also submits that the writ petition is filed on mere apprehension. The same is recorded and the writ petition is held to have been filed without any proper cause of action.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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V.V.S. RAO, J

20-12-2005

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